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9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**  
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12 MARTHA ZEPEDA OLIVARES,  
13 individually and on behalf of the  
14 ESTATE OF MAXIMILIANO SOSA,  
15 JR.; MAXIMILIANO SOSA, SR.,

16 Plaintiffs,

17 v.

18 CITY OF FRESNO, UNKNOWN  
19 LAW ENFORCEMENT OFFICERS,  
20 POLICE CHIEF PACO  
21 BALDERRAMA JOHN AYERS,  
22 BRANDON CROCKETT,  
23 JONATHAN ABRAHAM, and  
24 ANTHONY AGUILAR and DOES 1-  
25 30,

26 Defendants.  
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MARIA SOSA, L.S. by and through  
guardian ad litem MARIA SOSA, M.S.  
by and through guardian ad litem  
JENNIFER LOPEZ, individually and as  
successors-in-interest to Maximiliano  
Sosa,

Plaintiffs,

v.

CITY OF FRESNO JOHN AYERS,  
BRANDON CROCKETT.

Case No. 1:23-cv-01575-JLT-SAB  
District Judge Jennifer L. Thurston  
Magistrate Judge Stanley A. Boone

**[PROPOSED] ORDER RE  
DISMISSAL WITH PREJUDICE  
OF PLAINTIFFS' NINTH CLAIM  
FOR NEGLIGENT INFLECTION  
OF EMOTIONAL DISTRESS**

1 JONATHAN ABRAHAM, and  
2 ANTHONY AGUILAR,  
3 Defendants.

4 PURSUANT TO THE STIPULATION OF THE PARTIES, and pursuant to  
5 the Court's inherent and statutory authority, including but not limited to the Court's  
6 authority under the applicable Federal Rules of Civil Procedure and the United States  
7 District Court, Central District of California Local Rules; after due consideration of  
8 all of the relevant pleadings, papers, and records in this action; and upon such other  
9 evidence or argument as was presented to the Court; Good Cause appearing therefor,  
10 and in furtherance of the interests of justice,

11 IT IS HEREBY ORDERED that:

12 1. The Court hereby **dismisses with prejudice** from Sosa plaintiffs'  
13 Second Amended Complaint and this civil action, any and all claims alleged against  
14 defendants CITY OF FRESNO, FMR. POLICE CHIEF PACO BALDERRAMA,  
15 JOHN AYERS, BRANDON CROCKETT, JONATHAN ABRAHAM, and  
16 ANTHONY AGUILAR in plaintiffs' Ninth Claim for Relief (Negligent Infliction of  
17 Emotional Distress) in its entirety and as to all parties.

18 **IT IS SO ORDERED.**

19 DATED: \_\_\_\_\_

**UNITED STATES DISTRICT COURT,  
EASTERN DISTRICT OF CALIFORNIA**

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21  
22 By: \_\_\_\_\_

Hon. Stanley A. Boone,  
UNITED STATES MAGISTRATE  
JUDGE

1 Respectfully Submitted By:

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9 BALDERRAMA, JOHN AYERS,  
BRANDON CROCKETT, JONATHAN  
10 ABRAHAM, and ANTHONY AGUILAR